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JAN 3-1 2012

OFFICE OF PETITIONS

In re Patent No. 8,069,413
Issue Date: November 29, 2011
Application No. 10/786,844

DECISION ON PETITION

Filed: February 25, 2004
Attorney Docket No. 104402.00017

This is a decision on the "REQUEST AND PETITION TO CORRECT ASSIGNEE'S NAME UNDER 37 CFR 3.81(C)", filed January 4, 2012.

The petition is GRANTED.

An application may issue in the name of an assignee rather than the applicant if requested prior to issuance of a patent. However, in the event the request is not made prior to issuance, a Certificate of Correction under 37 CFR 1.323 may be requested. A request for a Certificate of Correction under 37 CFR 1.323 to correct the assignee's name will not be granted unless a petition under 37 CFR 3.81(b) is granted. Such request under 37 CFR 3.81(b) should include:

- (A) the processing fee required by 37 CFR 1.17(i);
- (B) a request for issuance of the application in the name of the assignee, or a request that a patent be corrected to state the name of the assignee;

<sup>&</sup>lt;sup>1</sup> <u>See</u> 37 CFR 3.81.

- (C) a statement that the assignment was submitted for recordation as set forth in 37 CFR 3.11 before issuance of the patent; and
- (D) a request for a certificate of correction under 37 CFR 1.323 accompanied by the fee set forth in 37 CFR 1.20(a).<sup>2</sup>

Receipt of the \$100 fee for the Certificate of Correction is and the \$130 processing fee for the instant petition is acknowledged.

The application is being forwarded to the Certificate of Corrections Branch for issuance of the requested Certificate of Correction.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.

Celly

Cliff Congo Petitions Attorney Office of Petitions

<sup>&</sup>lt;sup>2</sup> MPEP 307.